

# Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42<sup>nd</sup> St.  
New York, New York 10165

Telephone: (212) 317-1200  
Facsimile: (212) 317-1620

April 7, 2021

**BY ECF & ELECTRONIC MAIL**

Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

**Re: 20-cv-07214-KPF Martinez et al v. Ramen Meijin Inc.**

Your Honor:

This firm represents Plaintiff in the above-referenced matter. The parties will be resolving this case through a Rule 68 Offer of Judgment (the "Offer") pursuant to *Mei Xing Yu v. Hasaki Rest., Inc.*, 944 F.3d 395, 414 (2d Cir. 2019). However, Defendants need a bit more time to finalize the Offer and execute it. As such, the parties respectfully request that the deadline to submit settlement materials to the Court by April 9, 2021 be converted to a deadline to submit the Offer, and be extended by two weeks. This is the first request of its kind and is submitted on consent.

The parties thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/

Jesse Barton, Esq.  
Michael Faillace & Associates, P.C.  
*Attorneys for Plaintiff*

Application GRANTED. The parties' submission shall be due on or by April 23, 2021.

Dated: April 7, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE